

PLACES Site Consultants, Inc.

PLANNING, LANDSCAPE ARCHITECTURE, CIVIL ENGINEERING & SURVEYING

June 7, 2007

Acton Conservation Commission
Town Hall
472 Main Street
Acton, MA 01720

Re: Notice of Intent Filings- Lots 1,2, and 3
Lothrop Mill LLC
81 River Street
Project No. 396

Dear Commission Members:

Please find enclosed with this cover letter, 3 separate Notice of Intent filings for 3 proposed lots at 81 River Street for Lothrop Mills LLC. These filings are for three single family houses proposed on the southerly side of Fort Pond Brook, adjacent to Haley Lane, and will include the demolition of the existing structures on site. These lots have been filed individually solely to facilitate the permit tracking, the lots are served by a single common driveway and the grading and appurtenances are fully integrated. As a result, the plans submitted herewith show the work for all three lots with associated details – plans were not prepared for individual lots.

These lots are entirely located within the 200' Riverfront area and the proposed work has been limited to within the footprint of historically altered areas. The existing structures are within 5' of Fort Pond Brook, with one structure at the top of the existing retaining wall, typical of a mill complex. The proposed houses are setback a minimum of 10' from the retaining wall to assure that there will be no negative impact on the wall.

Local By-law Waiver Request

With this filing, we respectfully request a waiver from the Acton Wetland Protection Bylaw Rules and Regulations, Section 3.2.Wetland Setbacks to allow the re-development of this mill site with the proposed houses on Lots 1 and 2 and portions of the common driveway with appurtenances within 75' of Fort Pond Brook. The proposed house on lot 1 is 13' from the brook 10' from the wall) and on lot 2 the house is 32' from the brook at it's closest. The geometry of this property and the SAV (South Acton Village District) requirement of the front yard being no less than 10' nor more than 20' has impacted the placement of these structures.

With the re-development of this site, we are able to implement BMPs to the extent feasible to improve the water quality of the runoff from this site. The current use of this site pre-dates the current environmental regulations including the Wetlands Protection Act and the DEP Stormwater Policy as well as Acton Zoning Regulations. The existing buildings have been used for a variety of businesses in the past and currently house a wood working shop and a landscaping business. With a pre-existing site, there are no controls on the use of the site or restrictions on materials stored within the buildings.

The site currently has a gravel driveway/parking area which is heavily compacted from the parking of heavy vehicles. The compaction of this area has rendered the soils relatively impermeable. The on-going use of this parking allows the creates a muddy surface when wet, with no erosion or sediment controls to prevent the sediment carried in uncontrolled runoff from entering the existing River Street drainage system or Fort Pond Brook directly. This gravel does not provide any protection against any automotive fluids which could drip into the soils uncontrolled. Existing vegetation coverage is sparse in areas, providing minimal filtration.

510 King St., Suite 9, Littleton, MA 01460
(978) 486-0334 Fax: (978) 486-0447
places.littleton@verizon.net

694 Main Street, Suite 3, Holden, MA 01520
(508) 829-0333 Fax: (508) 829-0904
places @verizon.net

The re-development of this site provides an opportunity for the elimination of the pre-existing light industrial uses and greater control on water quality through the implementation of BMPs. Runoff from paved surfaces will be directed into a grass swale which will provide filtration of the runoff. Sediment loads from the paved surfaces will have a lower sediment load than the gravel parking area. The overall vegetation on the site will be improved, debris piles removed and will be maintained by the new homeowners. The good vegetative cover will improve the infiltration and recharge on the site and reduce the potential for erosion. Roof runoff will be directed into roof recharge trenches which will improve the recharge capacity over the existing site where roof runoff drains into the parking area and in some locations directly to the brook.

It is our belief that the re-development of this site can provide a net positive benefit to the site and that the uniqueness of this site makes it appropriate for a waiver from your local regulations.

The topographic survey indicated that there is very little dry land extending along the river beyond these house lots, so no public access is proposed along the river on the southerly side. As of the date of this filing, our clients are still working on the development scheme for the main mill buildings and land on the northerly side of the brook and therefore have not included it in this filing. Our clients fully intend to work with the Commission in the creation of a greenbelt along the brook in the development of the remaining property on the northerly side of the brook.

Included with this submittal is the following:

1. Four (4) Copies for each lot of the NOI Application which includes the following:
 - A. WPA Form 3- Notice of Intent including the Fee Transmittal sheet, copy of checks, Quad locus, Project Narrative, Abutters list and Notification to Abutters.
 - B. Filing fee checks payable to the Town of Acton
 1. Check No 1026 Lot 1 \$ 362.50 (\$ 100 local fee + \$ 262.50 WPA fee)
 2. Check No 1025 Lot 2 \$ 362.50 (\$ 100 local fee + \$ 262.50 WPA fee)
 3. Check No 1024 Lot 3 \$ 362.50 (\$ 100 local fee + \$ 262.50 WPA fee)
2. Seven (7) total copies of the Plan set entitled: "Residential Development in Acton, Mass prepared for Lothrop Mill LLC" dated June 2007, Plan Numbers 396-NOI-1 through NOI-4, by PLACES Site Consultants, Inc. Sheets include Existing Conditions Demolition and Layout Plan (sheet 1), Landscape, Grading and Utilities (sheet 2); Erosion and Sedimentation Control Plan (sheet 3) and the Water, Sewer and Construction Details (sheet 4).

Please contact this office should the Commission have any questions, need more copies or desire to schedule a site walk. Thank you.

Very truly yours,
PLACES Site Consultants, Inc.
BY:

Susan C. Sullivan, P.E.

Cc: Joseph Levine
Louis N. Levine
John J. Flannery, Inc.

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